

PUBLIC CHAPTER NO. 1177

SENATE BILL NO. 2973

By Norris, Black, Bunch, Crowe

Substituted for: House Bill No. 2765

By Coleman, Overbey, Harry Brooks, Hardaway, Dean

AN ACT to amend Tennessee Code Annotated, Title 55, relative to offenses involving motor vehicles.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 55-10-403(a)(1)(B), is amended by deleting subdivisions (ii) and (iii) and substituting instead the following:

(ii) Notwithstanding subdivision (a)(1)(A), if, at the time of the offense, the person was accompanied by a child under eighteen (18) years of age, and such child suffers serious bodily injury as the proximate result of the violation of § 55-10-401, the person commits a Class D felony and shall be punished as provided in § 39-13-106, for vehicular assault.

(iii) Notwithstanding subdivision (a)(1)(A), if, at the time of the offense, the person was accompanied by a child under eighteen (18) years of age, and such child is killed as the proximate result of the violation of § 55-10-401, the person commits a Class B felony and shall be punished as provided in § 39-13-213(b)(2) for vehicular homicide involving intoxication.

SECTION 2. This act shall take effect January 1, 2009, the public welfare requiring it.

PASSED: May 20, 2008



RON RAMSEY
SPEAKER OF THE SENATE



JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 19th day of June 2008



PHIL BREDESEN, GOVERNOR